
From: Shaban, Bigad (NBCUniversal) <bigad.shaban@nbcuni.com>
Sent: Tuesday, June 4, 2019 8:25 PM
To: Chavez, Cindy
Cc: Campos, Robert (NBCUniversal); Forster, Molly (NBCUniversal)
Subject: *** NBC MEDIA REQUEST (Cindy Chavez, BAAQMD Secretary)

Supervisor Chavez,

I hope you've been well.

In light of your position on the Board of Directors with the **Bay Area Air Quality Management District (BAAQMD)**, we would like to schedule a phone call with you to discuss one of our recent investigations involving **BAAQMD**.

What day/time works for you?

Our story centers around a breakdown in communication between BAAQMD and the city of Fremont, which led to a long line of bureaucratic blunders that resulted in a new, multi-million dollar school being built directly next to a concrete plant. Parents and air quality experts are raising serious health concerns because of the school's close proximity to the plant, which utilizes dangerous chemicals to produce concrete. The new **Stratford k-8 private School** opened in August 2018 at 43077 Osgood Road. The school opened alongside the **Tri City Rock concrete plant**, which has remained at that location for more than 30 years.

Link to NBC Bay Area investigation

<https://www.nbcbayarea.com/investigations/Stratford-School-Concrete-Controversy-in-Fremont-510245971.html>

Main findings:

- Fremont's Planning and Zoning Department determined it was safe to build the school next door to the plant, however, our investigation revealed Fremont based its decision on an incorrect health assessment rating that BAAQMD configured and posted on its own website.
- Fremont's Planning Department blames BAAQMD for posting incorrect data on the BAAQMD website. That health risk assessment rating was included as part of the school's permit application, which was ultimately approved, even though BAAQMD and Fremont now acknowledge the data was faulty.
- Data posted on BAAQMD's website dramatically underestimated the health risk created by the plant since it was configured using a far lower concrete production rate than what the plant actually produced. The health assessment was based on the plant producing 269 tons of concrete per year, even though the plant actually produced more than 98,000 tons of concrete per year.
- The health assessment rating remains posted on the BAAQMD website, even though BAAQMD admits the figure is inaccurate.
- The amount of concrete produced at a facility is directly connected to the level of health risk created for those nearby – thus, the more concrete produced, the higher the health risk.
- While Fremont Planning and Zoning determined it was safe to build the school next door to the concrete plant, its decision was based off of incorrect data that turned out to be 365 times LOWER than the actual amount of

concrete production at the plant. Since the level of production was dramatically underreported, that means the health risk was also underreported.

- The Bay Area Air Quality Management District (BAAQMD), which regulates air pollution in the in the 9-county Bay Area, tells us Fremont failed to follow standard protocol, which specifies that Fremont should have contacted BAAQMD directly to obtain a precise analysis of the health risk that would be incurred by building a school alongside a concrete plant in an industrial area. BAAQMD maintains the school should NOT have been allowed to be built at that location. BAAQMD could not say how often this type of breakdown in communication may be happening.

We would to get your thoughts on this specific issue and find out if you think anything should be done to ensure situations like these do not happen in the future.

We look forward to hearing from you soon.

My cell: 669-235-2575.

* * * * *

Bigad Shaban  Senior Investigative Reporter | NBC Bay Area
d: 408.432.4744 | c: 669.235.2575